

PATENT

Paper No.

File: Greene-USP1-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor : REES, Frank L.  
Serial No. : 10/580,358  
Filed : March 5, 2007  
For : Gauss-Rees Parametric Ultrawideband System  
Group Art Unit : 3662  
Examiner : LOBO, Ian J.

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MS: Petitions  
Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR SUSPENSION OF  
ACTION BY THE OFFICE UNDER C.F.R. §1.103(a)**

SIR :

Appellant respectfully requests suspension of action by the Office for cause: the parent PCT application has not been examined, and the Search Report and Written Opinion are not available in that application.

The above-identified patent application is a national application of a PCT application filed in 2004 with the US (PTO) as the Receiving Office. The PCT application has not been examined, and Applicant is being required to respond in the National application without benefit of the PCT examination. In the PCT application, there unity of

invention was established. The US application seeks to impose a restriction requirement.

Pursuant to Applicant's PCT treaty rights, Applicant is entitled to PCT examination within the proscribed time periods and should not be forced to respond to a restriction requirement without benefit of the PCT examination.

A showing of good and sufficient cause is further provided by a copy of the Decision mailed 01 October 2007 granting the Petition to Invoke the Supervisory Authority in the parent PCT application. The Petition requested that the Commissioner invoke supervisory authority to require advancement of the application. As of March 16, 2008, no advancement of the application had taken place. Applicant filed a Second Request to Invoke the Supervisory Authority on March 17, 2008, once again, requesting that the Commissioner invoke supervisory authority to require advancement of the application. A copy of said Second Request to Invoke Supervisory Authority is also enclosed. No Decision has been received from the Commissioner regarding the Second Petition to Invoke Supervisory Authority. Applicant has done everything in its power to procure a copy of the Search Report and Written Opinion, and to no avail.

Applicant respectfully requests suspension of this US National patent application until the parent PCT application has been properly examined and a Search Report and Written Opinion are issued.

**APPLICANT CLAIMS SMALL ENTITY STATUS.** It is believed that the delay in examination of the PCT application is the fault of the Office, such that no fee for this Petition is warranted. However, if the PTO determines otherwise, then the Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,



Date: August 14, 2008

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